

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-6 remain active in this application. Claims 1 – 3, and 5 are amended. Support for these amendments is found, for example, on page 34, third paragraph and page 59, second paragraph. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-6 are rejected under 35 U.S.C. § 102(e) as being anticipated by Burns, et al. (U.S. Pat. No. 6,324,182 hereafter Burns).

REJECTION UNDER 35 U.S.C. § 102

The Official Action has rejected Claims 1-6 under 35 U.S.C. § 102 as being anticipated by Burns. The Official Action asserts that Burns discloses all of the Applicant's claim limitations. Applicant respectfully traverses the rejection.

By way of background, live video distribution requires a content distributor to send motion picture data to a streaming server in real time. Therefore, content distributors wishing to send live video must secure a communication path for transmitting the motion picture data to the streaming server. However, during peak demand periods there may be insufficient bandwidth for the content distributor to send motion picture data to a streaming server in real time. Consequently, the content distributor who has been preparing for live distribution at a particular time, which for example is a peak time for network bandwidth usage, may be unable to perform live distribution at that time. With at least this deficiency in mind the present invention is provided. With this object in mind, a brief comparison of the claimed invention, in view of the cited reference is believed to be in order.

Burns describes a pull based intelligent caching system and method. In particular, Burns describes a pattern recognizer (116) which accesses information in a URL hit database

(114) for detecting repetitive access behavior patterns based on subscriber request.¹ A scheduler (118) uses the pattern results generated by the pattern recognizer (116) to schedule request for specific URLs of target resources on the Internet. The requests are scheduled to be filled at pre-selected times prior to the peak times when the highest number of users are most likely to request the content found at the URLs.² In addition, Burns describes a system with an additional, secondary network (202) for distributing content from the content server (52) to the ISPs (56).³ However, Burns does not describe or suggest a reservation request including a desired service time and a desired channel. Further, Burns does not describe or suggest determining an access server information for accessing the desired channel as recited in amended Claim 1.

Conversely, an exemplary embodiment of the Applicant's invention provides a system for independent or remote content distributors to reliably distribute live content. The system employs a secured communication path that is secured at a particular time and on a particular channel.⁴ Thus, a content distributor can reliably distribute live content between a terminal apparatus and a distribution server, and the distribution server in turn can provide for real time distribution of content to individual content consumers.

In this regard, the presently amended Claim 1 recites *inter alia* "a reservation request including a desired service time and a desired channel" and "determining an access server information for accessing the desired channel." Similarly, each independent claim and corresponding dependent claim recites substantially the same limitation as discussed above by independent recitation or by virtue of dependency. As a result of this claimed feature, a content distributor can reliably distribute live content through a secure communication path between the distribution server, the clients, and the terminal apparatus of the content

¹ Burns, column 8, lines 47-50.

² Burns, column 8, lines 60-65.

³ Burns, column 11, line 64 through column 12, line 12.

⁴ Specification, page 9.

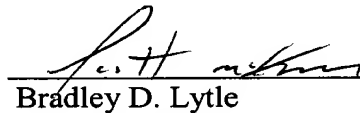
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distributor. As Claim 5 recites substantially similar limitations to that discussed above with reference to amended Claim 1, Applicants respectfully submit that Claim 5 and any claim depending therefrom is likewise allowable.

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present application, including Claims 1-6, is patentably distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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